



COMMONWEALTH of VIRGINIA

Members
Kenneth G. Feng
John E. Harding
Jorge Lozano
A. V. Maddra
Connie W. Seagle
John A. Wasowicz
Thomas Wilkins

Board of Juvenile Justice

P. O. Box 1110
Richmond, Virginia
23218-1110
(804) 371-0704

**700 Centre Building
Board of Juvenile Justice Meeting
July 12, 2000**

Present: Kenneth Feng
Jorge Lozano
A. V. Maddra
Connie Seagle
John Wasowicz

I. CALL TO ORDER

The meeting was called to order at 9:50 AM by Vice Chairman Ken Feng.

II. APPROVAL OF AGENDA

On MOTION duly made by Ms. Seagle, seconded by Mr. Wasowicz, the Board approved the Agenda.

III. APPROVAL OF MINUTES

On MOTION duly made by Mr. Maddra, seconded by Ms. Seagle, the Board approved the Minutes for the June 14, 2000, meeting with corrections.

Mr. Feng noted that on Page II, VI. Committee Reports, A. Secure Services Committee, second paragraph, he would like his comments to state, "Mr. Feng recognized Ms. Havens on her award-winning substance abuse treatment program and expressed a desire for her to present in a future Board meeting of that program."

Also, on Page VII, second paragraph, third line beginning with "Mr. Green" should read "Mr. Green said that personnel issues are under the purview of Department of Personnel and the Department is to follow the higher authority."

IV. COMMENTS OF PUBLIC

There were no comments.

V. COMMITTEE REPORTS

A. Secure Services Committee

On MOTION duly made by Mr. Maddra, seconded by Ms. Seagle, pursuant to 6 VAC 35-140-660 to approve the use of pepper spray at Shenandoah Juvenile Detention Center in accordance with approved guidelines to be valid for one year with a review at that time - July 2001. Motion carried.

A discussion was held on training program, harmful effects from the spray, and the use of spray at two facilities.

B. Non-Secure Services Committee

On MOTION duly made by Mr. Lozano, seconded by Mr. Wasowicz, to certify Discovery House for three years. Motion carried.

On MOTION duly made by Mr. Lozano, seconded by Mr. Wasowicz, to certify Giles County Office on Youth for three years with a letter of congratulations for 100% compliance. Motion carried.

A discussion was held regarding sending letters for 100% compliance with minimum standards vs. only sending letters for exceptional programs or innovative ideas. It was decided that a "pat on the back" letter would be appreciated, and another method should be used to recognize exceptional actions.

On MOTION duly made by Mr. Lozano, seconded by Mr. Wasowicz, to certify Martinsville Focus on Youth for three years. Motion carried.

On MOTION duly made by Mr. Lozano, seconded by Mr. Wasowicz, to certify Opportunity House for three years. Motion carried.

On MOTION duly made by Mr. Lozano, seconded by Mr. Wasowicz, to certify Virginia Wilderness Institute for three years. Motion carried.

On MOTION duly made by Mr. Lozano, seconded by Mr. Wasowicz, to certify Washington County Office on Youth for three years. Motion carried. On MOTION duly made by Mr. Lozano, seconded by Mr. Wasowicz, to certify Waynesboro Office on Youth for three years. Motion carried.

On MOTION duly made by Mr. Lozano, seconded by Mr. Wasowicz, to continue current certification status of the 16th District Court Service Unit to September 2000, pending the receipt of a corrective action plan. Motion carried.

On MOTION duly made by Mr. Lozano, seconded by Mr. Wasowicz, to certify the 26th District Court Service Unit for three years. Motion carried.

On MOTION duly made by Mr. Lozano, seconded by Mr. Wasowicz, to certify Aurora House for three years. Motion carried.

On MOTION duly made by Mr. Lozano, seconded by Mr. Wasowicz, to certify Harrisonburg Office on Youth for three years with a certificate of recognition for outstanding work on their different programs. Motion carried.

On MOTION duly made by Mr. Lozano, seconded by Mr. Wasowicz, to certify Loudoun Youth Shelter for three years with a letter of congratulations for 100% compliance. Motion carried.

On MOTION duly made by Mr. Lozano, seconded by Mr. Wasowicz, to certify Bridges Family Oriented Group Home for three years with a letter of congratulations for 100% compliance. Motion carried.

On MOTION duly made by Mr. Lozano, seconded by Mr. Wasowicz, to continue current certification status of the Tidewater Environmental Program to September 2000, pending the receipt of a corrective action plan and resolution of a variance request. Motion carried.

On MOTION duly made by Mr. Lozano, seconded by Mr. Wasowicz, to approve the following Virginia Juvenile Community Crime Control Act plans for the FY 2000-2002 Biennium: (Region 1) Amherst; Charlotte, Appomattox, Buckingham, Cumberland, Lunenburg, Prince Edward; Danville; Floyd; Halifax; Lynchburg; Mecklenburg; Montgomery; Russell, Buchanan, Dickenson, Lee, Norton, Scott, Tazewell, Wise; and Washington, Smyth, Bristol. (Region 2) Caroline; Charlottesville/ Albemarle; Fairfax County, City; Fluvanna; Harrisonburg/Rockingham; Henrico; King George; Manassas; Manassas Park; Rappahannock; and Westmoreland, Essex, Lancaster, Northumberland, Richmond County. (Region 3) Accomack, Northampton; Amelia, Powhatan; Chesapeake; Colonial Heights; Dinwiddie; Emporia; Greenville; Isle of Wight; Mathews; Nottoway; Poquoson; Prince George; Suffolk; and York, Gloucester, James City, Williamsburg.

VII. OTHER BUSINESS

A. Post-Disposition Update

Mr. Marsden discussed how Senate Bill 66 changed the requirements of 16.1-284, which is the way courts sentence young people to secure detention facilities locally for up to six months. The effective date of this change will be July 2002. However, DJJ was required to do certain things, which we are in the process of doing - assess juveniles prior to placement and develop standards to be approved by the Board for programming for these post-dispositional youth. We have two years to develop these standards and have established three committees - Legislative, Criteria for Admission for Post-dispositional Detention, and Development. He also discussed the raising of the threshold for admittance to detention centers.

He stated that CORE standards have been revised and as of July 1, post-dispositional programs will be required to be certified under the revised standards. A mock audit of post-dispositional programs has been scheduled in the Norfolk Juvenile Detention Center. The program will be run to see how the CORE standards are going to work and how they are going to be audited.

Mr. Marsden did not think there would be a huge impact on length of stay. However, the new laws do not allow credit for time served, which will probably impact local detention homes.

B. Certification Process

Mr. Carignan discussed the results of the initial public comment period on the certification regulations. The Department recommends that the Board approve publication of this proposed regulation that will initiate yet another round of public comment, and that the Board exercise its option to schedule a public hearing at the September meeting.

He discussed advocacy groups that will probably argue for strengthened regulations and a higher threshold for certification. He explained that there is a chart to identify at what level of compliance certain actions will take place. He recommended that the Board change the designation of "LHS" standards as "mandatory." The American Correctional Association, Department of Corrections and the three other agencies that co-promulgate with DJJ on CORE standards use the terminology "mandatory" rather than "LHS" for standards. "LHS" is terminology that this Board has historically used.

Mr. Feng questioned using "may" rather than "shall." Mr. Carignan explained that the Board is bound by the final regulations. He encouraged Board members to submit any suggestions to him before public comments are held. The Code of

Virginia does not give the Board the option to do certain things, but it can make recommendations to the Secretary of Public Safety or the Governor.

On MOTION made by Mr. Maddra, seconded by Mr. Wasowicz, to issue the certification regulations for publication. Motion carried.

On MOTION made by Ms. Seagle, seconded by Mr. Maddra, to schedule a public hearing for the September Board date. Motion carried.

VIII. DIRECTOR'S COMMENTS

Mr. Peed advised the Board that Mr. Wilkins' absence was due to a recent surgery. He said Mr. Wilkins had some initiatives for the Board that included a future retreat, members attending conferences (Department would advise of juvenile justice conferences in Virginia), and budget (travel, telephone, training, etc.) Mr. Peed has a small budget, but members should contact Kelly for reimbursement.

Training has been an item of interest to the Board, and Mr. Peed wants to enhance that. There are 2,700 employees with a training staff of only seven. The Secretary of Public Safety has directed Mr. Peed to start looking at colocating training facilities with the Department of Corrections. Barry Green and Mr. Peed toured DOC's training facility and will continue to explore these possibilities. He will keep the Board advised on the progress of this effort and will be happy to arrange for the Board to tour the DOC Academy, one of the best training facilities in the country.

Following the meeting, two Board members will visit Barrett JCC.

Mr. Peed introduced Mr. Bill Bonacum, the new Inspector General. Mr. Bonacum gave an overview of his background and his unit. Mr. Muse said that Mr. Bonacum has been of great help to the Attorney General's Office.

IX. COMMENTS OF BOARD

Mr. Wasowicz expressed concern that VJCCCA might be transferred to DCJS. He asked if the Board should be concerned that there will be further legislative effort to transfer the administration of that program from DJJ to DCJS. Mr. Peed said that although this change had been an issue during the last General Assembly, it had been laid to rest.

Mr. Lozano requested being advised how much money is expended for trade and technical careers, not just elementary or high school education. He said he thought the Department should investigate partnerships with other states to provide better training and possibly result in being a profit center. Mr. Peed said he would invite Clarence McGill, who heads the vocational industries, to a meeting to provide the Board with information.

Mr. Wasowicz had questions regarding the current population. Mr. Green described the number of wards at each facility. Mr. Peed said the population is steady; admissions are dropping a little bit, but length of stay is up. In terms of totality of all JCCs, population is running about 40 over capacity. He said that Beaumont is now below capacity due to dispersing wards throughout system. Mr. Murray and staff are doing an excellent job in managing the population on a day-to-day basis.

Mr. Maddra asked if there had been any feedback on how the conditional certification at Beaumont had affected staff. He was assured that Beaumont would be ready for the audit. Mr. Peed said he was visiting Beaumont on Thursday, July 13.

Mr. Feng said Mr. Wilkins is recuperating well and expects him to be in good shape to chair the next meeting.

There will be no August meeting. September's meeting will be in Richmond. The October meeting will be in Abingdon. Kelly said that arrangements have been made and information will be included in the Board packet. In order to ensure a quorum, she needs to know who may not be able to attend the meeting. Discussion was held regarding transportation to the October meeting, but no decisions were reached. The Department will try to arrange transportation.

X. EXECUTIVE SESSION

It was not necessary to hold an Executive Session.

XI. ADJOURN

On MOTION duly made by Ms. Seagle, seconded by Mr. Maddra, to adjourn the meeting at 10:50 AM. MOTION carried.

Respectfully submitted,

/s/ Patricia F. Rollston

Patricia F. Rollston